



# Foster care beyond placement: Offending outcomes in emerging adulthood



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## ABSTRACT

**Purpose:** Conceptually, foster care placement is an important risk factor for serious and violent offending. Empirically, little is known about the role of foster care placement on offending outcomes in adulthood.

**Methods:** Data from the Incarcerated Serious and Violent Young Offender Study were used to examine whether children and youth in care (CYIC;  $n = 211$ ) were disproportionately more likely than non-CYIC ( $n = 153$ ) to (a) show a pattern of chronic offending and (b) engage in more serious forms of crime, both of which were measured from ages 12–23.

**Results:** Dynamic classification tables were used to examine patterns of persistence and desistance between adolescence and emerging adulthood. Controlling for other risk factors, a multinomial logistic regression analysis showed that CYIC status increased the odds of chronic offending between adolescence and adulthood. This finding may be gender-specific.

**Conclusion:** Although desistance is expected during the transition between adolescence and emerging adulthood, CYIC showed a disproportionate likelihood of chronic offending. Future research should examine whether CYIC are at a decreased likelihood of experiencing positive psychosocial outcomes in adulthood that traditionally influence desistance at this stage.

## 1. Introduction

Most young offenders are expected to show a pattern of desistance from offending during the transition between adolescence and adulthood (Farrington, 1986; Masten, Obradović, & Burt, 2006; Sampson & Laub, 2005). A smaller group of youth, however, show a heightened tendency to continue to offend across this transitional period (e.g., McCuish, Corrado, Lussier, & Hart, 2014). Identifying the factors that increase this group's likelihood of continued offending is important to reduce their harm to potential victims, to limit their cost to the justice system, and to improve the health and safety of such youth (Cohen, Piquero, & Jennings, 2010; Tolan & Gorman-Smith, 1998). Arnett (2006) described the transitional period of emerging adulthood as a time of identity exploration, instability, self-focus, possibilities, and feeling of in-between adolescence and adulthood. Most adjudicated youth are expected to show a pattern of desistance from offending during this transitional period (Farrington, 1986; Masten et al., 2006; Sampson & Laub, 2005). However, a small group of youth show a heightened tendency to continue to offend across this transitional period (e.g., McCuish et al., 2014). Identifying the factors that increase this group's likelihood of continued offending is important to reduce their harm to potential victims, limit their cost to the justice system,

and improve their overall lives and the lives of people around them (Cohen et al., 2010; Tolan & Gorman-Smith, 1998). At least conceptually, factors that precipitated foster care placement itself, and the psychosocial consequences of foster care placement, may make this transitional period especially challenging (Corrado & Freedman, 2011) and thus influence continued offending. However, very little empirical research has considered the role of foster care in the adolescence-adulthood transition among adjudicated youth.

Drawing from the concept of cumulative disadvantage (e.g., Moffitt, 1993) and interactional theory (e.g., Thornberry, 1987), children and youth in care<sup>1</sup> (CYIC) may be at a particularly high likelihood of continued chronic offending between adolescence and emerging adulthood. Although factors precipitating placement in care and the foster care experience itself have been linked to adolescent offending (Corrado & Freedman, 2011), there has been less consideration for foster care as a stepping stone to negative psychosocial outcomes that influence continued offending through various stages of adulthood. From an age-graded theory of informal social control perspective (e.g., Sampson & Laub, 1997), desistance from offending among CYIC may be less likely because of the diminishing resources experienced by these individuals as they transition into emerging adulthood (e.g., loss of child welfare system support as a result of “aging out”). In effect,

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<sup>1</sup> The term ‘CYIC’ is used to denote youth placed in foster homes, but also youth homes, single room occupations, and youth agreements regarding independent living.

combined with risk factors that result in foster care placement and negative experiences of foster care placement, CYIC may hold fewer resources that help them transition to adulthood. As one example, whereas biological parents are free to continue to support their children after age 18, most jurisdictions have legislation requiring that child welfare services and associated support for CYIC cease after a specific age threshold. As another example, financial independence helps promote desistance in emerging adulthood (Hill, van der Geest, & Blokland, 2017), but for CYIC, the accumulation of negative life events in childhood and adolescence combined with a lack of resource support to successfully cross the adolescence-adulthood transition (e.g., funding for post-secondary education) may decrease the likelihood of timely financial independence and in turn result in continued offending.

Overall, the transition through emerging adulthood is expected to be qualitatively different for CYIC compared to non-CYIC due at least in part to the former being subject to policies that explicitly state that ministerial support ends at entry into adulthood. The purpose of the current study was not to examine whether CYIC experience more negative psychosocial outcomes, but rather to take the first step in addressing whether CYIC in fact experience more concerning offending outcomes between adolescence and emerging adulthood. This question was addressed using data on CYIC ( $n = 211$ ) and non-CYIC ( $n = 153$ ) from the second cohort of the Incarcerated Serious and Violent Young Offender Study.

### 1.1. Characteristics and experiences of CYIC before, during, and after placement

Despite the common perception that CYIC are deviant children before entering the foster care system, statistics on CYIC in England for 2015 showed that only 5% of children had entered care due to their own behavior or disability, and 61% had entered due to abuse or neglect (Zayed & Harker, 2015). Although studies showed that a secure placement coupled with a quality, continuous relationship with a foster parent can divert the onset of a criminal career (Goemans, van Geel, van Beem, & Vedder, 2016; Soothill, Fitzpatrick, & Francis, 2009), this type of foster care experience is irregular. Between 20 and 50% of foster care placements in England during 2015 were disrupted. The negative consequences of this breakdown may compromise the positive effects of foster care (Goemans et al., 2016; Minty, 1999), especially when the disruption was caused by abuse or neglect within the placement home (Burns et al., 2004; Riebschleger, Day, & Damashek, 2015; Stein et al., 2001). Youth moved from biological home to foster home and youth that are required to change foster care homes will experience greater residential mobility that may also involve changing schools and losing connections to peers that in turn may increase the risk of offending. In addition to the potentially negative experiences incurred while placed in foster care, what comes before foster care placement is also important for unraveling the pathway to involvement in serious and violent offending (Corrado & Freedman, 2011; Cutuli et al., 2016).

Family functioning is one of the strongest predictors of later criminal behavior (Sampson & Laub, 1992; Stouthamer Loeber, Loeber, Homish, & Wei, 2001; Widom, 1991) and CYIC often come from families where maltreatment formed the basis for government intervention (Taylor, 2006). Although the young person must be protected from harm and provided stability during a critical developmental period, separation from family, regardless of how tumultuous the family dynamic is, can also be traumatic. In addition to the effects of trauma on emotional and physical health, trauma is also associated with behavioral problems, including criminal behavior (Stouthamer Loeber et al., 2001). Indeed, several studies demonstrated higher rates of substance abuse and antisocial behavior within CYIC (Corrado, Freedman, & Blatier, 2011; Cutuli et al., 2016; Mallett, 2014; Ryan & Testa, 2005; White, O'Brien, White, Pecora, & Phillips, 2008). CYIC also are more likely to have a learning disability, perform poorly in school, and lack sufficient educational support (Maschi, Hatcher,

Schwalbe, & Rosato, 2008; Ryan, Herz, Hernandez, & Marshall, 2007b). In effect, CYIC are characterized by a wide range of risk factors that accumulate over time, resulting in a risk factor profile resembling the hypothesized profile of long-term serious and violent offenders (Farrington, 2005; Fox, Perez, Cass, Baglivio, & Epps, 2015; Moffitt, 1993; Nagin & Tremblay, 1999). However, there also appears to be a direct effect of foster care placement on later offending, irrespective of the accumulation of other risk factors. Baglivio et al. (2016) showed that hypothesized key risk factors (e.g., adverse child experiences) for recidivism did not account for the effect of child welfare involvement on offending. In addition to the direct effects of circumstances before and during foster care placement on offending outcomes, these two components of the lives of CYIC may also adversely affect positive adult outcomes that promote desistance.

Empirical and even theoretical consideration for the role of CYIC on continued offending in adulthood is lacking despite obvious parallels between foster care placement and, for example, age-based theories of informal social control (e.g., Sampson & Laub, 1997). Foster care placement may precipitate state dependence effects in which social capital and bonds are weakened through placement, increasing the likelihood of continued offending. Indeed, the relationship between foster care experiences and poor educational attainment, poor employment prospects, and difficulties obtaining housing after leaving care (Courtney et al., 2007; Courtney, Piliavin, Grogan-Kaylor, & Nesmith, 2001) are barriers to the types of turning points commonly linked to desistance (Sampson & Laub, 2003). Thus, this accumulation of risk factors that directly impact offending or interfere with turning points can stem from and be compounded by foster care, increasing the likelihood of an offending pattern that persists into adulthood.

### 1.2. The justice system involvement of CYIC

A disproportionate number of individuals in the youth criminal justice system have a history of foster care placement (Baskin & Sommers, 2011; Cutuli et al., 2016; Herz, Ryan, & Bilchik, 2010; Ryan et al., 2007b; Taylor, 2006). However, this research relied almost exclusively on cross-sectional research designs or examined shorter-term recidivism outcomes (Courtney et al., 2001). Whether CYIC are disproportionately associated with more serious and violent offending patterns that extend into adulthood remains relatively unclear. Conceptually, although incarceration has deleterious effects on youth in general (Gilman, Hill, & Hawkins, 2015), incarceration for CYIC compromises placement stability (Conger & Ross, 2001; Corrado et al., 2011), such as in instances where another youth fills the newly vacant foster care placement. Thus, justice system involvement may be particularly harmful for CYIC compared to non-CYIC. There is also the concern that there may be structural biases against CYIC within the justice system resulting in more punitive sentences (Conger & Ross, 2001; Morris & Freundlich, 2004; Ryan et al., 2007b).

There are several longitudinal studies of CYIC from which the current study can build upon. In one of the first prospective longitudinal studies exploring the nature of the relationship between foster care and offending, Ryan, Hernandez, and Herz (2007a) identified three unique developmental offending trajectories for adolescents leaving the foster care system: no offenders, desisters, and chronic offenders. In their study, 27% of the sample of adolescents leaving foster care were associated with a chronic offending trajectory. This is substantially more than the number of chronic or life course persistent offenders hypothesized to be found in general populations (e.g., Moffitt, 1993; Wolfgang, Figlio, & Sellin, 1972). However, Ryan et al. (2007b) did not include a comparison group of non-CYIC offenders, which would have provided more insight into the contributory role of placement in care. Doyle's (2008) analysis showed that CYIC were more likely to recidivate in adulthood compared to those on the margins of foster care placement. Although not specifically examining foster care, Baglivio, Wolff, Piquero, and Epps (2015) found that adverse childhood experiences

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